

NATALIE REESER v HENRY FORD HOSPITAL
DEPOSITION OF FIONA BORK

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

NATALIE REESER,
Plaintiff,

v

Case No. 2:14-cv-11916-GCS-MJH
Hon. George Caram Steeh

HENRY FORD HOSPITAL,
Defendant.

_____/

DEPOSITION OF FIONA BORK

Taken by the Plaintiff on the 16th day of March,
2015, at the office of Keith D. Flynn, 600 W. Lafayette
Blvd., Detroit, Michigan at 11:00 a.m.

APPEARANCES:

For the Plaintiff: MR. KEITH D. FLYNN (P74192)
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For the Defendant: MR. TERRANCE J. MIGLIO (P30541)
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Reported by: TAMARA A. O'CONNOR
CSMR 2656, CER 2656

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1 Q Well, for instance, you indicated that you drafted
2 the Outreach handbook. What I'm asking is--

3 A Well, I put together the contents. I mean, they are
4 in a format--I formatted the contents of the folder,
5 but they're hospital policies.

6 Q Oh, okay. So you didn't like make changes to
7 hospital policies, incorporate those into the
8 handbook?

9 A With the call-in, yes.

10 Q Okay.

11 A That's what I talked about earlier. If they call in
12 with less than a two-hour notice, then I don't allow
13 them to use CTO.

14 Q And that is the only difference?

15 A Uh-huh, and you're allowed to do that.

16 Q And that is the only difference? You went "uh-huh"
17 again.

18 A Oh, sorry. I'm sorry, yes. Bad habit.

19 Q Okay. So are you also required to follow Henry
20 Ford's policies?

21 A Yes.

22 Q Back to this sense of hierarchy. What is the
23 relationship between laboratory Outreach and Henry
24 Ford Hospital proper?

25 A We are a division of Henry Ford Hospital.

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1 what you are asking me.

2 Q (By Mr. Flynn) Well, you're the one who decides at
3 the end of the day who is scheduled where and what
4 time. Right?

5 A Correct.

6 Q Has your decision to schedule someone for a specific
7 location or specific shift ever been questioned or
8 countermanded?

9 MR. MIGLIO: I will object to the form and
10 the foundation of the question.

11 Q (By Mr. Flynn) Meaning has anyone said, "No, you
12 can't do that"?

13 A Oh, no. No.

14 Q Do you have the authority to determine who receives
15 a lunch period?

16 A Who--everyone.

17 Q Everyone gets a lunch period?

18 A Yes.

19 Q Okay. It's mandatory. Right?

20 A Correct.

21 Q And how long is the lunch period?

22 A Thirty minutes, unpaid.

23 Q And they can leave the facility if they choose to go
24 someplace else to have their lunch?

25 A Not everyone can. Certain sites we--they can't

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1 their lunches that they were forced to work at the
2 facility until someone brought it to your attention
3 that you were required to do that?

4 A No.

5 MR. MIGLIO: Objection as to the form of
6 the question.

7 Q (By Mr. Flynn) You did pay individuals for working
8 through lunch?

9 A I never said to anybody--I thought that what we were
10 doing was fine, that they got their break and ate
11 lunch.

12 Q I'm asking whether or not you paid them during that
13 period of time where you thought that was fine.

14 A Yes. They were all paid.

15 Q And you approved the payment?

16 A Yes. I had to do the research.

17 Q At the time, after the research you approved the
18 payment?

19 A Correct.

20 Q But at the time you did not approve the payment?

21 MR. MIGLIO: I will object to the form of
22 that question.

23 REPORTER: I'm sorry?

24 MR. MIGLIO: I'll object to the form of
25 the question.

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1 Q (By Mr. Flynn) At the time that they were working
2 these lunches, did you or did you not approve or
3 deny the request for payment?

4 MR. MIGLIO: Objection to the form of the
5 question.

6 THE WITNESS: They were not paid at the
7 time.

8 Q (By Mr. Flynn) Because you denied it. Right?

9 MR. MIGLIO: Objection to the form of the
10 question.

11 THE WITNESS: The only time that the lunch
12 periods came up was at the end of January, and I did
13 not--they were not paid until I found out from H.R.
14 how we were going to handle the payment.

15 Q (By Mr. Flynn) So did you ever stop them from being
16 paid?

17 MR. MIGLIO: Objection to the form of the
18 question.

19 Q (By Mr. Flynn) You did payroll. Right?

20 A I didn't do payroll at that time.

21 Q Okay. Well, that's a managerial function. Who did
22 you delegate that to?

23 A I never delegated it.

24 Q Who did payroll?

25 A Martha Wiseheart.

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1 Q About three years. Right?

2 A Correct.

3 Q Where did she work?

4 A Clinton Township.

5 Q So she was never transferred?

6 A What do you mean, transferred?

7 Q Moved to a new location?

8 A No. I'm thinking about--she was trained to work at
9 different sites, and she was scheduled to work at
10 different sites like a lot of people are, but she
11 mainly worked at Clinton Township.

12 Q Okay. Well, that gets me back to a couple of
13 questions ago, maybe a couple of hours ago. You
14 testified that sometimes employees--not sometimes,
15 that employees are expected to be moved around.
16 Right?

17 A They are.

18 Q But do most employees typically stay at one of the
19 facilities for the most part?

20 A Some may for extended periods of time. They could,
21 but they are never assigned a permanent site.

22 Q And why are they--why do they stay at those
23 particular sites for elongated periods of time, as
24 opposed to others?

25 A It just may be that that is the way the schedule is

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1 Q Okay, but did you talk to Martha the day that--the
2 day in question, the 25th?

3 A I talked to her on my way to the site to meet with
4 Natalie.

5 Q About what she observed though.

6 MR. MIGLIO: Will you let her finish the
7 question, her answer? Quit interrupting her.

8 Q (By Mr. Flynn) Did you talk to her about what she
9 observed in regards to Natalie on the 25th?

10 A Yes.

11 Q And what did she observe?

12 A Well, she was in her office. Her door was shut.
13 She was on a conference call, and she said Natalie
14 barged in, said something and walked out.

15 Q Did she say what she said?

16 A I don't think she even heard what she said or knew
17 what she said. I don't know. You would have to ask
18 her.

19 Q Barged in like she walked into her office?

20 A I think she used the word "barged in," like didn't
21 knock on the door, like barged in the door, barged
22 into her office.

23 Q And you are saying that this--even though she barges
24 in, she doesn't have Martha's attention at that
25 point?